

Notice of Allowability

Application No.

09/871,991

Examiner

Jon Chang

Applicant(s)

OH ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/28/04.
2. ☒ The allowed claim(s) is/are 6-10 and 18 (renumbered 1-6).
3. ☒ The drawings filed on 31 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jon Chang
Primary Examiner
Art Unit: 2623

Response to Applicants' Amendment

1. The amendment filed June 28, 2004, has been entered a made of record.
Claims 1-5, 11-17 and 19 are cancelled. Claims 6-10 and 18 are pending.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification

On page 1, in the paragraph beginning "1. U.S. Patent Application Ser. No. 09/693723,..." at the end of the paragraph, after "October 20, 2000" insert, --, now U.S. Patent 6,400,849--.

On page 1, in the paragraph beginning "2. U.S. Patent Application Ser. No. 09/693378, ..." at the end of the paragraph, after "October 20, 2000" insert --, now U.S. Patent 6,504,959--.

On page 1, in the paragraph beginning "3. U.S. Patent Application Ser. No. 09/692948, ..." at the end of the paragraph, after "October 20, 2000" insert, --, now U.S. Patent 6,404,934--.

On page 1, in the paragraph beginning "4. U.S. Patent Application Ser. No. 09/703018, ..." at the end of the paragraph, after "October 31, 2000" insert, --, now U.S. Patent 6,678,404--.

On page 1, in the paragraph beginning "6. U.S. Patent Application Ser. No. 09/738846, ..." at the end of the paragraph, after "December 15, 2000" insert, --now U.S. Patent 6,463,175--.

On page 2, in the paragraph beginning "7. U.S. Patent Application Ser. No. 09/739084, ..." at the end of the paragraph, after "December 14, 2000" insert, --, now U.S. Patent 6,456,741--.

On page 2, in the paragraph beginning "8. U.S. Patent Application" in the first line of the paragraph, between "Application" and "entitled", insert --Ser. No. 09/815816--.

On page 2, in the paragraph beginning "9. U.S. Patent Application" in the first line of the paragraph, between "Application" and "entitled", insert --Ser. No. 09/834817--.

On page 2, in the paragraph beginning "9. U.S. Patent Application..." at the end of the paragraph, after "April 12, 2001" insert, --, now U.S. Patent 6,603,882--.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The amendment rewrites claims 6, 10 and 18 in independent form. These claims were indicated as containing allowable subject matter in the last Office Action. Claims 7-9 depend from claim 6.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon Chang whose telephone number is (703)305-8439. The examiner can normally be reached on M-F 8:00 a.m.-6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jon Chang
Primary Examiner
Art Unit 2623

Jon Chang
August 17, 2004